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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
3470 Twelfth Street, Riverside, CA 92501
CIVIL MINUTES -- GENERAL

Case No. EDCV 08-00520-SGL(JCRx)

Date: January 6, 2009

Title: ELTON, INC., and ELTON NIXON -v- DIRK KEMPTHORNE, THE UNITED STATES
BUREAU OF LAND MANAGEMENT, FRANK CAMPOS, GOLD CAPITAL
INVESTMENT CORP, INC., and JEFFREY SCHNEIDER

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PRESENT: HONORABLE STEPHEN G. LARSON, UNITED STATES DISTRICT JUDGE

Jim Holmes
Courtroom Deputy Clerk

None Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

ATTORNEYS PRESENT FOR DEFENDANTS:

None

None

PROCEEDINGS: (IN CHAMBERS)

CASE MANAGEMENT NOTICE RE SECOND ORDER TO SHOW CAUSE

In response to this Court's October 29, 2008, Order to Show Cause (OSC), plaintiff filed its response on October 30, 2008, Docket No. 7, wherein plaintiff states that the parties reached an agreement allowing plaintiff to amend the complaint at the request of the United States Attorney's Office. Since that date, based upon the review of the docket in this action, the Court is unaware of any action having been undertaken in this matter.

The previously issued OSC is extended to January 13, 2009, for plaintiff(s) to show cause in writing as to why this action should not be dismissed for lack of prosecution. As an alternative to a written response by plaintiff(s), the Court will consider the filing of a First Amended Complaint along with proof of service of summons and complaint.

It is plaintiff's responsibility to respond promptly to all orders and to prosecute the action diligently, including filing proofs of service. All stipulations affecting the progress of the case must be approved by the Court. Local Rule 7-1 and L.R. 52-9.

No oral argument of this matter will be heard unless ordered by the Court. The Order will stand submitted upon the filing of a responsive pleading or motion on or before the date upon which a response by plaintiff(s) is due.

IT IS SO ORDERED.

Judge Larson's E-Filing Memorandum Attachment

Counsel shall e-file all civil and criminal filings for Judge Larson pursuant to General Order 08-02, filed on March, 2008 (**superseding** General Order No. 07-08). Although the procedure is set forth in great detail in General Order 08-02, generally, the procedure consists of the following three steps:

- Step 1: All *non-signature* items shall be e-filed in **.pdf format**.
- Step 2: In addition to being e-filed, all proposed *signature* items shall be e-mailed to the chambers electronic mailbox in **Microsoft Word** or **WordPerfect format**. **WordPerfect format is preferred**. The chambers e-mail address is **sgl_chambers@cacd.uscourts.gov**
- Step 3: A paper copy of all e-filed documents shall be delivered to chambers **no later than noon the day after e-filing**. All copies delivered to chambers shall have the Notice of E-filing attached thereto. For ease of use, declarations, notices, appendices, and similar documents that have multiple exhibits attached thereto shall separate the exhibits with numbered or lettered tabs.

UNDER SEAL FILINGS

Documents to be filed under seal may not be e-filed and are subject to different procedures. To file documents under seal, the following steps must be taken:

- Step 1: Manually file an ex parte application to file the documents under seal and concurrently lodge an original and one copy of the documents to be filed under seal.
- Step 2: E-file a Notice of Manual Filing.
- Step 3: E-mail a .pdf copy of that ex parte application to the chambers e-mail address together with a WordPerfect or Microsoft Word version of the proposed order for the Court's consideration. WordPerfect format is preferred.

DO NOT OMIT ANY OF THE ABOVE STEPS.

For any additional questions, please refer to the General Order or call the Helpline @ 213-894-0242.